

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MARIO CISNEROS,

Plaintiff,

v.

NEVADA DEPARTMENT OF
CORRECTIONS,

Defendant.

Case No. 3:23-cv-00629-LRH-CSD

ORDER

I. DISCUSSION

Plaintiff Mario Cisneros brings this counseled civil-rights action under 42 U.S.C. § 1983 for events that took place when he was in the custody of the Nevada Department of Corrections. (ECF Nos. 1, 6). Plaintiff is no longer incarcerated and has paid the \$405 filing fee for a civil action. As such, this case will proceed onto the normal litigation track and will not be screened. *See generally* 28 U.S.C. § 1915A (the plaintiff is no longer a prisoner within the meaning of the Prison Litigation Reform Act); *see Olivas v. Nevada ex rel. Dep't of Corr.*, 856 F.3d 1281, 1282 (9th Cir. 2017) (holding that “28 U.S.C. § 1915A applies only to claims brought by individuals incarcerated at the time they file their complaints”); *see Lopez v. Smith*, 203 F.3d 1122, 1126, 1129 (9th Cir. 2000) (recognizing that screening under 28 U.S.C. § 1915(e) applies to actions filed *in forma pauperis* whether or not the plaintiff is incarcerated).

II. CONCLUSION

For the foregoing reasons, it is ordered that this case is not subject to screening and will proceed onto the normal litigation track pursuant to the Federal Rules of Civil Procedure.

DATED THIS 20th day of March, 2024.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE